

FISCAL NOTE

SB 756 - HB 866

March 21, 2003

SUMMARY OF BILL:

- Beginning January 1, 2004, requires the highway patrol and each affected local law enforcement department to record and retain information regarding all traffic stops, pedestrian stops and any other stops or detentions including: the number of persons stopped; the characteristics of race, color, ethnicity, gender and age of such persons; the nature of the stop and, if applicable, the alleged traffic violation; whether a warrant or citation was issued, an arrest made or search conducted; the type of search, legal basis for a search and whether contraband was discovered and property seized.
- Provides for data to be submitted on a monthly basis to the Comptroller's office. Provides for the Comptroller to develop and promulgate forms, in printed and electronic formats, to be used by law enforcement.
- Requires the Comptroller, within existing resources, to review the prevalence and disposition of stops and detentions reported and report by February 1, 2005 and every year thereafter the results of such review to the Governor and the General Assembly.
- Specifies that provisions apply to the Tennessee Highway Patrol, county sheriff's offices and municipal police departments in counties having a population in excess of 90,000 according to the 2000 or any subsequent federal census (12 counties) and, at the discretion of the appropriate official, in counties having a population less than 90,000.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$147,300 Recurring
\$5,000 One-Time**

Increase Local Govt. Expenditures* - Exceeds \$100,000

Estimate assumes:

- one position in the Department of Safety for data entry of information collected with salary and benefits of \$23,500.
- one-time expenditures for office equipment and furnishings for the additional position of \$5,000 and recurring expenditures of \$2,200 for office expenses and supplies.
- the cost of printing forms would depend on the number of departments choosing paper forms over electronic forms but is estimated to be approximately \$10,000 annually for over 900,000 forms with associated postage costs estimated to be \$1,600.

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- increase in expenditures to the Comptroller's office to contract for data entry estimated to be \$100,000 and for a part-time research personnel position to process the data and review the information and for associated supplies of \$10,000.
- local governments will experience an increase in expenditures for the administrative costs to local law enforcement agencies associated with compiling the required data including associated personnel and computer system updates. This increase is estimated to exceed \$100,000 statewide.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

James A. Davenport, Executive Director